United Nations A/72/205

General Assembly

Distr.: General
28 July 2017

Original: English

Seventy-second session
Item 79 of the provisional agenda*
Criminal accountability of United Nations officials and experts on mission

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Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraphs 28 and 29 of General Assembly resolution 71/134. Section II contains information received from governments on the extent to which jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, is established under their national laws. Section III provides information received from governments on the handling of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission by States against whose nationals such allegations are made, and matters relating thereto. Section IV provides information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals, as well as the protection of victims and witnesses in this process. Section V provides information on vetting by Member States contributing personnel to the United Nations. Section VI provides comments received from governments on the report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980), including on the question of future action. Sections VII and VIII relate to information on activities within the Secretariat.

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17-12365X (E) 290817

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 71/134, in which the Assembly requested the Secretary-General to report on the implementation of the resolution, in particular with respect to paragraphs 9, 11, 12, 14, 17 and 19, as well as any practical problems in its implementation, on the basis of information received from governments and the Secretariat.

2. In a note verbale dated 16 January 2017, the Secretary-General drew the attention of all States to General Assembly resolution 71/134 and requested them to submit relevant information. The present report provides information on efforts undertaken in that regard. Replies have been received from the following States: Austria, Bosnia and Herzegovina, El Salvador, Finland, New Zealand, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

3. Sections II, III and IV of the present report concern activities and information received relating to the criminal accountability of United Nations officials and experts on mission, as required under paragraphs 9 to 11, 17, 18 and 24 of resolution 71/134. Section V provides information relating to paragraph 12 of the resolution. Section VI contains comments received with respect to paragraph 14 of the resolution, by which Member States were invited to submit further comments on the report of the Group of Legal Experts, including on the question of future action.

4. Sections VII and VIII relate to activities undertaken within the Secretariat in the implementation of paragraphs 3, 6, 12, 13, 17 to 22 and 29 of the resolution, focusing in particular on information regarding the bringing of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto.

5. The present report should be read together with previous reports of the Secretary-General under this item.[1]

6. As noted in the report of the Secretary-General at the previous session (see A/71/167, para. 7), the focus of the report and the work of the Sixth Committee is but one aspect of the work of the Organization to address issues of accountability of United Nations actors, including the conduct of United Nations officials and experts on mission.

7. There are different reporting mechanisms that apply with respect to questions of accountability generally within the United Nations, which might bear on questions of criminal accountability of United Nations officials and experts on mission. As noted in the previous report of the Secretary-General (see A/71/167, para. 8), a number of other reports prepared pursuant to other mandates may be related to the present item. An indicative but not exhaustive list of relevant reports on this matter is available on the website of the Sixth Committee for the seventy-second session, under the agenda item "Criminal accountability of United Nations officials and experts on mission".

8. Particular attention may be drawn to reports that contain related but often distinct sets of statistics with respect to allegations of misconduct against United Nations officials or experts on mission. Such reports may deal with disciplinary matters from a human resource management perspective; sexual exploitation and sexual abuse; and questions of general accountability.

9. The first series of such reports are reports of the Secretary-General on the practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, submitted pursuant to General Assembly resolution 59/287, requesting that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour and the

[1] A/71/167, A/70/208, A/69/210, A/68/173, A/67/213, A/66/174 and Add.1, A/65/185, A/64/183 and Add.1, and A/63/260 and Add.1.

disciplinary action and, where appropriate, legal action taken in accordance with the established procedures and regulations. The most recent such report (A/71/186) covers the period from 1 July 2015 to 30 June 2016.

10. The second series of reports are reports of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse, prepared annually. Pursuant to General Assembly resolutions 57/306 and 70/286, the Secretary-General, in his most recent such report (A/71/818 and Add.1) presented a strategy to improve the system-wide approach of the Organization to preventing and responding to sexual exploitation and abuse. The strategy focuses on four main areas of action: putting victims first; ending impunity; engaging civil society and external partners; and improving strategic communications for education and transparency. The report also provided data on allegations of sexual exploitation and abuse across the United Nations system and by non-United Nations international forces authorized by a Security Council mandate. The data cover the period from 1 January to 31 December 2016. Specifically, the following data are provided in annex IV to the report: (a) the nature of allegations reported for peacekeeping operations and special political missions, for entities other than peacekeeping and special political missions and for non-United Nations forces, in 2016; (b) the status of investigations related to allegations reported for peacekeeping operations and special political missions, for entities other than peacekeeping and special political missions and for non-United Nations forces, in 2016; (c) the allegations reported to the Office of Internal Oversight Services for peacekeeping operations and special political missions, allegations reported to the Office of Human Resources Management by entities other than peacekeeping and special political missions, and allegations reported to the Office of the United Nations High Commissioner for Human Rights, in 2016; (d) an analysis of these allegations. In addition, a system-wide matrix of responsibilities to prevent and respond to sexual exploitation and abuse, disaggregated into respective matrices for prevention and response, is provided in annex V to the report.

11. Finally, there is a series of reports on the accountability system in the Secretariat. These include the sixth progress report of the Secretary-General on the accountability system in the United Nations Secretariat (A/71/729), submitted pursuant to General Assembly resolution 70/255, and the report of the Advisory Committee on Administrative and Budgetary Questions (A/71/820) in consideration of the report of the Secretary-General, which provide information and analysis on progress made towards the implementation of the accountability system in the United Nations Secretariat. The report highlights several critical components that have been strengthened over the past year in areas related to internal controls, including: progress made in the implementation of the enterprise risk management framework; the finalization of the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat; progress made in the implementation of a statement on internal control, in internal controls in the procurement process and in accountability in field missions; and improvements related to ethics and integrity and in the performance assessment of the Secretariat's personnel. The report also describes how the major transformational projects implemented in recent years continue to increase the visibility of crucial information in the area of common support services, and how that can foster better management and stronger accountability. It may be noted in this regard that an information circular was released containing the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat (ST/IC/2016/25). The objective of the Framework is to assist the Secretariat in promoting a culture of integrity and honesty within the Organization by providing guidance and information to staff members and other Secretariat personnel on how the Secretariat acts to prevent, detect, deter, respond to and report on fraud and corruption.

12. Different United Nations bodies, based on their respective mandates, bear responsibility in the preparation of these reports and have reporting obligations to the relevant legislative bodies. It may be noted, for instance that, pursuant to their

respective mandates, a number of offices provide information to the Fifth Committee (Administrative and Budgetary Committee) that is relevant to aspects of accountability. These units and offices include the Office of Human Resources Management, Department of Field Support, Ethics Office, Office of Internal Oversight Services (OIOS) and Joint Inspection Unit.

13. The Department of Field Support, with the Department of Peacekeeping Operations and the Department of Political Affairs, provide information within their respective mandates on aspects of accountability to the Fourth Committee (Special Political and Decolonization Committee), and in particular to the Special Committee on Peacekeeping Operations. These departments have also provided key information on field operations to the Security Council, as appropriate.

14. In addition, the Secretary-General continues to provide information and assessment into aspects of the means to address the criminal accountability of United Nations officials and experts on mission. Information has been provided to the Sixth Committee through the report of the Secretary-General from the Office of Legal Affairs, OIOS and the Department of Field Support, as set out in sections VI and VII of the present report. The informal briefings by the Secretariat, as set out in paragraphs 15 and 16 of resolution 71/134, have provided a further opportunity for the provision of information and the discussion on measures that could be taken to help ensure the accountability of United Nations officials and experts on mission and prevent future crimes, and have included officials from the Office of Legal Affairs, OIOS, Department of Field Support, the Office of Human Resources Management and the Office of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse.

II. Establishment of jurisdiction over crimes of a serious nature

Austria

15. Austria reiterated the information provided in previous submissions (see A/63/260, para. 7). Austria further indicated that section 64, paragraph 1, sub-paragraph 4(c), of the Austrian Penal Code provides for full complementary jurisdiction of Austrian courts over international crimes under the Rome Statute of the International Criminal Court, in particular genocide (section 321), crimes against humanity (section 321a), war crimes (sections 321b to 321f) and crime of aggression (section 321k). Accordingly, Austrian courts can exercise jurisdiction over these crimes committed in foreign countries in all cases, regardless of locally applicable law, in which the perpetrator or the victim is an Austrian national, other Austrian national interests are infringed by the act, or the perpetrator is a foreigner who has his habitual residence in Austria or is present in Austria and cannot be extradited.

Bosnia and Herzegovina

16. Under article III (b) of the Constitution, general principles of international law, including that of *pacta sunt servanda*, shall be an integral part of the law of the State. Bosnia and Herzegovina reported that it had no specific legislation that regulated matters of criminal liability of United Nations officials and experts on mission, but that the criminal legislation of Bosnia and Herzegovina applied to its nationals under a number of jurisdictional grounds.

17. Under territorial jurisdiction, Bosnia and Herzegovina could apply its criminal law to anyone committing a criminal offence inside its territory. Bosnia and Herzegovina noted the exception to this application as provided by diplomatic immunity. In such cases, the right of punishment would be transferred to the State where the alleged foreign offender has permanent residency.

18. Bosnia and Herzegovina indicated that a number of potential extraterritorial jurisdictional grounds for addressing criminal conduct of its nationals exist under its

legislation. These include the protective principle, by which criminal law extends to certain crimes committed outside its territory that threaten its important values or assets, regardless of whether the perpetrator is a national, a foreigner or a stateless person. There is no requirement for dual criminality with the State where the crime was committed, and the principle of *non bis in idem* is derogated from, provided that the sentence served or part thereof is credited against the sentence imposed in Bosnia and Herzegovina. In addition, nationality (or active personality) jurisdiction applies only to offences committed abroad by Bosnian nationals, excluding those offences covered by the protective principle. A requirement is that the national is located within the territory of Bosnia and Herzegovina or is extradited there.

19. Bosnia and Herzegovina noted that it was a party to the 1946 Convention on the Privileges and Immunities of the United Nations. Bosnia and Herzegovina also drew attention to the Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organization (NATO) Concerning the Status of NATO and its Personnel. As per paragraph 2 of the Agreement, the provisions of the Convention on the Privileges and Immunities of the United Nations that relate to experts on mission apply mutatis mutandis to NATO personnel involved in the operation, unless otherwise provided in the Agreement.

20. Bosnia and Herzegovina further added that there were no special military courts, martial law or legislation in Bosnia and Herzegovina. Bosnia and Herzegovina affirmed that, within the limits permitted by the international treaties Bosnia and Herzegovina is subject to, its criminal legislation applied to United Nations officials and experts on mission.

El Salvador

21. El Salvador reiterated information contained in previous reports (see A/65/185, para. 17, A/67/213, para. 4, A/69/210, para. 7 and A/71/167, para. 13).

New Zealand

22. New Zealand provides for broad jurisdiction over nationals who commit offences while serving overseas as United Nations officials or experts on mission in peacekeeping or police operations with the authorization of the Government of New Zealand. However, where a person is working for the United Nations in his or her own capacity, coverage is more limited to specific serious crimes. New Zealand was also considering whether it was necessary to establish extraterritorial jurisdiction over the commission of additional serious crimes, but noted the practical and jurisdictional difficulties of establishing extraterritorial jurisdiction over New Zealand nationals serving the United Nations abroad in their individual or personal capacity. New Zealand has no legislation that specifically provides for criminal jurisdiction to be taken over New Zealand nationals serving as United Nations officials or experts on mission in their personal capacity without the authorization of the Government of New Zealand. These individuals are, however, still subject to New Zealand law to the extent that it provides for extraterritorial jurisdiction for certain offences.

23. New Zealand provided updated information from their previous submission (see A/63/260, paras. 26 and 27), affirming that it already extends jurisdiction, as provided for under existing legislation, over its nationals who commit specific "serious crimes" while serving as United Nations officials, under the Adoption Act 1955, the Aviation Crimes Act 1972, the Armed Forces Discipline Act 1971, the Chemical Weapons (Prohibition) Act 1996, the Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980, the Crimes of Torture Act 1989, the Electoral Act 1993, the Films, Videos and Publications Classification Act 1993, the Geneva Conventions Act 1958, the International Crimes and International Criminal Court Act 2000, the Maritime Crimes Act 1999, the Mercenary Activities (Prohibition) Act 2004, the Misuse of Drugs Act 1975, the New Zealand Nuclear Free Zone, Disarmament, and Arms

Control Act 1987, the Nuclear-Test-Ban Act 1999 (not yet in force), the Policing Act 2008, the Terrorism Suppression Act 2002 and the United Nations Convention on the Law of the Sea Act 1996. The crimes include terrorism offences, genocide, piracy, torture, crimes against humanity, grave breaches of the Geneva Conventions or First Protocol, and other war crimes, certain sexual offences and sexual exploitation of children, human trafficking, and bribery and corruption.

24. The Policing Act 2008 provides for jurisdiction over members of the New Zealand Police forming part of a United Nations force. Section 91 of the Act provides that "employee means a Police employee who is an employee for the purposes of United Nations activity". "For the purposes of this section, a Police employee is deemed to be an employee for the purposes of a United Nations activity from the time he or she leaves New Zealand to undertake duties with the United Nations until he or she returns to New Zealand or earlier ceases to be an employee." Section 92 of the Act provides that "an employee who commits a crime outside New Zealand is liable to be proceeded against and punished as if it had occurred in New Zealand and the courts of New Zealand have jurisdiction accordingly".

25. In addition, sections 86 to 90 of the Policing Act 2008 apply the same New Zealand criminal jurisdiction to crimes committed overseas to any person who is not a member of the armed forces and not already covered by the Policing Act 2008, and is serving as part of an "overseas operation" outside New Zealand. An "overseas operation" is defined under the Act as "a person or group of people that" "is authorized by the Government of New Zealand to participate in duties overseas involving peacekeeping, the maintenance or restoration of law and order or functioning government institutions, or any other activity in respect of which the Government of New Zealand wishes to provide assistance (whether or not in conjunction with personnel from one or more other countries)".

Switzerland

26. Switzerland reiterated information provided for previous reports of the Secretary-General on the topic (see A/63/260, para. 33; A/66/174, paras. 19-21; A/67/213, paras. 10-13; and A/71/167, paras. 22 to 23).

III. Handling of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission by States against whose nationals such allegations are made, and matters relating thereto

El Salvador

27. El Salvador provided updated information (see A/71/167, para. 29) that its armed forces had no record of any Salvadoran personnel who had committed serious crimes during participation in a peacekeeping mission, and reaffirmed the legal duty to carry out an investigation and exercise its jurisdiction for credible allegations that would be brought to its attention.

Finland

28. Finland provided an updated report that no crimes of a serious nature committed by Finnish nationals while serving as United Nations officials or experts on mission had been brought to the attention of the Finnish authorities (see A/71/167, para. 30).

New Zealand

29. New Zealand reported that it was not aware of any current allegations, investigations or prosecutions being undertaken in relation to a New Zealand national committing a serious crime while working as a United Nations official or expert on mission.

IV. Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions, and protection of victims and witnesses in this process

Austria

30. Austria reiterated information provided in its previous submission (see A/64/183, paras. 30 to 36).

New Zealand

31. New Zealand reiterated information provided in its previous submission with respect to cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions (see A/63/260, para. 50). With respect to the protection of victims and witnesses, the Victims' Rights Act 2002 ensures that if victims have suffered harm as a result of an offence they are treated with courtesy and they have their dignity and privacy respected. It provides that victims should have access to welfare, health, counselling, medical or legal services. It ensures that victims have the right to be heard on matters related to the offender and the offence, kept informed of any investigation and notified of the offender's progress through the criminal justice system. Furthermore, New Zealand drew attention to its Evidence Act 2006 that also provides for privacy protection of witnesses before a trial if the offence is serious in nature and if the safety of the witness or any other person is endangered, or if there is likely to be serious damage to the witnesses' property, and if withholding the witnesses' identity until the trial would not be contrary to justice.

32. New Zealand reported that it had not been requested to assist a host State in investigating a crime of a serious nature alleged to have been committed by United Nations officials or experts on mission. New Zealand did however provide some general capacity-building support through the New Zealand Aid Programme police support programme, which included enhancing investigation techniques. New Zealand provided police support throughout the Pacific and had provided police capacity-building support in a number of post-conflict and fragile contexts including in Afghanistan, Papua New Guinea, the Solomon Islands and Timor-Leste.

Switzerland

33. Switzerland reiterated the information provided in its previous submission (see A/71/167, paras. 43 and 44).

United Kingdom of Great Britain and Northern Ireland

34. The United Kingdom provided information on national laws and policies in place in the three United Kingdom criminal law jurisdictions (England and Wales; Northern Ireland; and Scotland) relating to the effective protection of victims and witnesses who provide information in relation to crimes of a serious nature committed by any individual.[2] Further information was provided on the laws in Scotland with respect to the protection of vulnerable witnesses.

[2] See www.cps.gov.uk/legal/v_to_z/witness_protection_and_anonymity/ (England and Wales); www.ppsni.gov.uk/Code-for-Prosecutors-5017.html (Northern Ireland); www.ppsni.gov.uk/Victims-and-Witnesses-5016.html (Northern Ireland); www.crownoffice.gov.uk/publications/victims-and-witnesses (Scotland).

V. Vetting by Member States contributing personnel to the United Nations

New Zealand

35. New Zealand noted that personnel deployed to work as United Nations officials or experts on mission where the New Zealand Government has authorized the deployment of personnel through peacekeeping, police or other operations were personnel usually deployed by the New Zealand Police or the New Zealand Defence Force, both of which have robust internal vetting processes and strict codes of conduct by which all personnel are required to abide. Where a New Zealander is working for the United Nations in his or her own capacity, there is more limited ability for New Zealand to influence the individual's conduct or behaviour.

VI. Report of the Group of Legal Experts, including on the question of future action

Switzerland

36. Switzerland reiterated the viewpoints presented in its previous submission (see A/71/167, para. 46), and further drew attention to the mandate it had provided to the Swiss Institute of Comparative Law to examine the legislation of a representative list of States and to establish the presence of any gaps in their legal basis for prosecuting the perpetrators of the criminal offences in question. Switzerland will present the results of this study during the seventy-second session of the General Assembly.

VII. Bringing credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto

37. In paragraphs 17 to 23 and 25 to 29 of its resolution 71/134, the General Assembly urged Member States to provide information to the Secretary-General, requested the Secretary-General to provide certain information to the Assembly and requested the United Nations to take certain measures concerning the issue of criminal accountability of officials and experts on mission.

Criminal conduct of personnel deployed in field missions

38. The Secretary-General continued to expect that any criminal conduct by United Nations staff members, or other categories of personnel deployed in field missions, would be prosecuted in a manner consistent with the gravity of the offence. That was particularly the case in instances of sexual abuse that amounted to crimes under the laws of host or sending States. Such instances would include non-consensual sexual activities and sexual activities with minors. During the reporting period, the Department of Field Support referred to the Office of Legal Affairs instances of possible criminal offences involving eight staff members, including one instance of sexual abuse of a minor. Furthermore, the Department of Field Support also cooperated with the Office of Legal Affairs in reviewing investigation reports to be referred to Member States for criminal accountability purposes, in connection with eight more instances involving possible criminal offences (see paras. 40 and 41).

39. The latest report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/71/818) reiterated prior system-wide initiatives on the need for United Nations personnel to be held accountable for

criminal offences. The Secretary-General again urged Member States to conclude the long-standing discussions on the adoption of an international convention on the issue. The Secretary-General also indicated that information would be sought from Member States regarding amendments to their administrative rules, regulations or codes governing police and military contingents to clearly recognize all forms of sexual exploitation and abuse as misconduct, where that was not already the case, and to indicate that such acts would attract the harshest available sanctions. The Department of Field Support, in cooperation with the Office of Legal Affairs, was in the process of finalizing guidance for field missions on procedures to be followed in instances of misconduct, including sexual exploitation and abuse, that could amount to criminal conduct to be referred to the judicial authorities of host States, in accordance with the existing legal framework.

40. As observed in the 2016 report of the Secretary-General on criminal accountability of United Nations officials and experts on mission (A/71/167), peacekeeping missions continued to report, on a quarterly basis, on cooperation with host States regarding the investigation and prosecution of criminal offences committed by United Nations personnel, where applicable.

Referrals in relation to officials or experts on mission during the period from 1 July 2016 to 30 June 2017

41. The request in paragraph 17 of resolution 71/134 is similar to those made by the General Assembly in paragraph 15 of its resolution 70/114 (see A/71/167, covering the 2015/16 period), and paragraph 9 of its resolutions 69/114 (see A/70/208, covering the 2014/15 period), 68/105 (see A/69/210, covering the 2013/14 period), 67/88 (see A/68/173, covering the 2012/13 period), 66/93 (see A/67/213, covering the 2011/12 period), 65/20 (see A/66/174, covering the 2010/11 period), 64/110 (see A/65/185, covering the 2009/10 period), 63/119 (see A/64/183, covering the 2008/09 period) and 62/63 (see A/63/260, covering the 2007/08 period).

42. During the period from 1 July 2016 to 30 June 2017, the Office of Legal Affairs referred to States of nationality, through the permanent missions concerned, 35 cases involving 38 United Nations officials and experts on mission for investigation and possible prosecution. Of those cases, 10 concerned allegations of corruption and fraud; 1 concerned allegations of theft, corruption and fraud; 19 concerned allegations of entitlement fraud; 1 concerned allegations of physical assault; 2 concerned allegations of sexual exploitation and/or abuse; and 2 concerned allegations of theft. Additional details regarding those cases, as required by paragraph 29 of resolution 71/134, are contained in annex I to the present report (see numbers 90-124).

Updates from States on the status of their efforts to investigate and, as appropriate, prosecute cases, as well as assistance requested from the Secretariat

43. In accordance with paragraph 19 of resolution 71/134, the Secretariat requested the States to which cases were referred to keep the United Nations informed of any action taken by national authorities in relation to such cases and followed up on cases in which it did not receive a response from the Member State concerned. As of the date of preparation of the present report, the Secretariat had been contacted by States to which referrals were made during the reporting period with respect to the cases of 11 officials or experts on mission, noting that such cases had been raised with the relevant authorities. In six of those cases, the States concerned also requested specific assistance from the United Nations. The Secretariat remains ready to assist on all referrals made.

Information on the nature of the allegations and information received from States on all referrals since 1 July 2007

44. Annex I of the present report contains credible allegations that have been referred to States of nationality pursuant to resolution 62/63 and subsequent resolutions on the criminal accountability of United Nations officials and experts on mission. It also contains information and updates received from States in response to such referrals since 1 July 2007 and specific categories of information relating to the credible allegations referred. In addition, annex I contains the dates of follow-up requests sent by the Secretariat to such States, as requested by the General Assembly in paragraph 29 of resolution 71/134.

Notifications received from States with respect to investigations or prosecutions of crimes allegedly committed by United Nations officials or experts on mission

45. In paragraph 18 of its resolution 71/134, the General Assembly requested the Secretary-General to seek, from all States that have notified the United Nations with respect to investigations or prosecutions of crimes allegedly committed by United Nations officials or experts on mission, updates on the status of their investigations or prosecutions, provided that this would not prejudice national investigations or national proceedings. In accordance with paragraphs 18 and 29 of resolution 71/134, annex II provides information on 27 investigations or prosecutions concerning United Nations officials or experts on mission of which the Organization was notified during the reporting period, and as to which the State concerned did not object to their inclusion in the present report.

Possible use by States exercising jurisdiction of information from United Nations investigations

46. In paragraph 20 of its resolution 71/134, the General Assembly requested the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations. In the same vein, in paragraph 22 of that resolution, the Assembly urged the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States.

47. In that regard, it is important to recall that the legal framework within which the referrals are made by the United Nations and the role of the Secretary-General have been outlined in a previous report of the Secretary-General on criminal accountability of United Nations officials and experts on mission (see A/63/260, sect. IV).

48. The United Nations cooperates with law enforcement and judicial authorities of relevant Member States in accordance with its rights and obligations under the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, as well as other relevant international agreements and applicable legal principles. Accordingly, the Organization will disclose documents and/or information and waive immunity on a case-by-case basis where, in the opinion of the Secretary-General, immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. Consequently, information obtained by the United Nations may be provided to the relevant authorities and documents may be shared, subject to considerations of confidentiality and privileges and immunities. Documents may be redacted where necessary. It should be noted that, since the United Nations does not have any criminal investigative or prosecutorial jurisdiction, the use of any documents of information provided by the United

Nations, including their admissibility in any legal proceedings, is a matter for determination by the relevant judicial authorities to whom such documents or information have been provided.

Protection of United Nations officials and experts on mission from retaliation

49. For information responding to paragraphs 21 and 23 of resolution 71/134, the situation remains the same as reported in prior reports of the Secretary-General (see A/70/208, paras. 34 and 35).

VIII. Practical measures to strengthen existing predeployment training and vetting measures

50. With support from conduct and discipline personnel based in field missions, all United Nations personnel deployed in peacekeeping and special political missions continue to receive training and be sensitized concerning their obligation to respect the United Nations standards of conduct, including the obligation for all United Nations personnel to observe the laws of the host State, as well as possible consequences in terms of accountability should they fail to observe such laws. Training programmes on this topic include predeployment and induction training. In addition, a dedicated e-learning programme on sexual exploitation and abuse was launched at the end of 2016, and its completion made mandatory for all personnel. This was initially available on an internal platform for United Nations staff members and is now available through the United Nations System Staff College portal, for all personnel deployed with the United Nations other than United Nations staff members. Governments are also asked to certify that they have provided predeployment training on conduct and discipline, including on sexual exploitation and abuse, to military and police contingents personnel deploying to United Nations peacekeeping operations and special political missions.

51. The Department of Field Support has continued to work with other components in the Secretariat of the United Nations and its agencies, funds and programmes on implementing mechanisms to ensure system-wide sharing of information on vetting processes. All personnel deployed in peacekeeping and special political missions are vetted against records of misconduct during prior deployments in such field missions.

52. As a mean of strengthening transparency and raising awareness, during the reporting period, the Department of Field Support launched a new website providing information on the conduct and discipline function, the United Nations standards of conduct, and procedures in place to address misconduct, including in instances in which such misconduct may also amount to crimes under national laws. The site has three core goals: increasing understanding of the conduct and discipline function; increasing knowledge of the activities related to conduct and discipline; and increasing transparency and clarity in the presentation of data. Innovative approaches taken by field missions in terms of activities related to conduct and discipline are highlighted. The website also enables misconduct to be reported directly through the site, by means of an online form.

Annex I

Additional information on the nature of the allegations and information received from States on all referrals since 1 July 2007

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
1	2008	2007-2008	UNMIL	Sexual exploitation and abuse	Alleged rape of a minor	No information received from Member State	No	No information received from Member State	None
2	2008	2007-2008	UNOPS	Corruption/ fraud	Alleged procurement fraud through the execution of a bid-rigging scheme	No information received from Member State	No	No information received from Member State	None
3	2008	2007-2008	UNMIS	Sexual abuse	Alleged rape and physical assault of an adult	No information received from Member State	No	No information received from Member State	None
4	2009	2008-2009	UNMIT	Vehicular crime	Alleged driving while intoxicated resulting in one injury and one death	Investigation was initiated by Member State. No further information was received	Yes	No information received from Member State	None
5	2009	2008-2009	UNOCI	Counterfeiting	Alleged knowing possession of counterfeit currency and making of verbal threats	No information received from Member State	No	No information received from Member State	None
6	2009	2008-2009	UNHCR	Corruption/ fraud	Alleged embezzlement by using a fraudulent check to withdraw funds from a United Nations bank account	No information received from Member State	No	No information received from Member State	None

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
7	2009	2008-2009	UNFPA	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments to a private account	No information received from Member State	No	No information received from Member State	None
8	2009	2008-2009	UNOPS	Corruption/ fraud	Alleged embezzlement and fraudulent use of funds designated for donor-funded projects	Investigation initiated by Member State	No	No information received from Member State	None
9	2009	2009-2010	MONUC	Smuggling	Alleged illicit purchase and smuggling of uncut diamonds	No information received from Member State	No	No information received from Member State	None
10	2010	2009-2010	Secretariat	Theft/firearms violation	Alleged theft of a United Nations firearm and violation of a firearms possession law	No information received from Member State	No	No information received from Member State	None
11	2010	2009-2010	Secretariat	Entitlement fraud	Alleged submission of false claims for United Nations rental subsidy allowances	No information received from Member State	No	No information received from Member State	2 March 2012
12	2010	2009-2010	UNIFEM	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of United Nations project assets to private accounts	Investigation and prosecution of non-United Nations personnel connected to case initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
13	2010	2009-2010	Secretariat	Entitlement fraud/visa fraud	Alleged submission of fraudulent applications for visas and dependency entitlements	No information received from Member State	No	No information received from Member State	6 December 2011 Response received from Member State acknowledging receipt of referral and/or seeking further information
14	2010	2010-2011	MONUC	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	No information received from Member State	No	No information received from Member State	2 March 2012
15	2010	2010-2011	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
16	2010	2010-2011	UNOCI	Physical assault/ firearms violation	Alleged physical assault and unlawful brandishing of a firearm	No information received from Member State	No	No information received from Member State	None
17	2010	2010-2011	UNMIT	Theft/fraud	Alleged fraudulent transfer of funds to a private account using wire transfer	No information received from Member State	No	No information received from Member State	14 October 2011
18	2010	2010-2011	MINUSTAH	Sexual exploitation and abuse/physical assault	Alleged sexual exploitation and abuse of a minor; alleged physical assault of a minor	Disciplined by Member State's police. Criminal case was dismissed by national authorities	No	No information received from Member State	14 October 2011

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
19	2010	2010-2011	UNFPA	Theft	Alleged theft of United Nations fuel	No information received from Member State	No	No information received from Member State	14 October 2011
20	2011	2010-2011	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	United Nations informed of action taken by Member State
21	2011	2010-2011	UNMIL	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State	14 October 2011
22	2011	2011-2012	UNAMI	Entitlement fraud	Alleged submission of fraudulent claims for reimbursement of education expenses	No information received from Member State	No	No information received from Member State	3 January 2012
23	2011	2011-2012	UNOCI	Corruption/ fraud	Alleged submission of fraudulent fuel invoices	No information received from Member State	No	No information received from Member State	24 July 2012
24	2012	2011-2012	UNICEF	Corruption/ fraud	Alleged embezzlement of United Nations funds through the forgery of fraudulent payment vouchers	No information received from Member State	No	No information received from Member State	24 July 2012
25	2012	2011-2012	UNDP	Corruption/ fraud	Alleged acceptance of bribery payments and manipulation of a procurement process	No information received from Member State	No	No information received from Member State	26 June 2012

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
26	2012	2011-2012	UNICEF	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	Investigation initiated by Member State	No	No information received from Member State	17 December 2012
27	2012	2011-2012	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State	No	No information received from Member State	19 December 2012 Response received from Member State acknowledging receipt of referral and/or seeking further information
28	2012	2011-2012	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State	No	No information received from Member State	19 December 2012 Response received from Member State acknowledging receipt of referral and/or seeking further information
29	2012	2011-2012	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State	No	No information received from Member State	19 December 2012 Response received from Member State acknowledging

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[a]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
									receipt of referral and/or seeking further information
30	2012	2011-2012	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State	No	No information received from Member State	19 December 2012 Response received from Member State acknowledging receipt of referral and/or seeking further information
31	2012	2011-2012	WFP[b]	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	No information received from Member State	No	No information received from Member State	20 December 2012
32	2012	2012-2013	MINUSTAH	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	Investigation initiated by Member State	No	No information received from Member State.	United Nations informed of action taken by Member State
33	2012	2012-2013	UNEP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent diversion of vendor payments	No information received from Member State	No	No information received from Member State	United Nations fully recovered its losses

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
34	2012	2012-2013	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State	7 January 2013
35	2012	2012-2013	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State	7 January 2013
36	2012	2012-2013	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State	7 January 2013
37	2012	2012-2013	MINUSTAH	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments from individuals seeking United Nations employment	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
38	2013	2012-2013	UNMIK	Entitlement fraud	Alleged submission of fraudulent claims to the United Nations for reimbursement of education expenses	Member State considered matter and confirmed it would not pursue it	No	No information received from Member State	18 April 2013
39	2013	2012-2013	UNDP	Physical assault	Alleged physical assault of an adult	No information received from Member State	No	No information received from Member State	18 April 2013
40	2013	2012-2013	UNRWA	Corruption/ fraud	Alleged procurement fraud and receipt of bribery payments	Investigation initiated by Member State	No	No information received from Member State	18 April 2013
41	2013	2013-2014	Secretariat	Attempted solicitation of minors	Attempted solicitation of minors using United Nations information technology and communication resources	No information received from Member State	No	No information received from Member State	Feedback received from Member State
42	2013	2013-2014	UNEP	Corruption/ fraud	Alleged fraudulent solicitation and diversion of donor funds to a private company	No information received from Member State	No	No information received from Member State	21 August 2014
43	2013	2013-2014	UNMIL	Theft	Alleged theft of United Nations tires	No information received from Member State	No	No information received from Member State	15 January 2014

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[c]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
44	2013	2013-2014	UNDP	Corruption/ fraud	Alleged embezzlement through the fraudulent disbursement of UNDP assets to a private account	No information received from Member State	No	No information received from Member State	4 April 2014 Response received from Member State acknowledging receipt of referral and/or seeking further information
45	2013	2013-2014	UNSOA	Corruption/ fraud	Alleged embezzlement through the fraudulent disbursement of United Nations assets to a private account	No information received from Member State	No	No information received from Member State	21 August 2014
46	2014	2013-2014	UNEP	Corruption/ fraud	Alleged fraudulent solicitation and diversion of donor funds to a private company	No information received from Member State	No	No information received from Member State	21 August 2014
47	2014	2013-2014	Secretariat	Corruption/ fraud	Alleged embezzlement of United Nations funds by forging documents to direct expenditure payments to private accounts	No information received from Member State	No	No information received from Member State	21 August 2014
48	2014	2013-2014	UNEP	Corruption/ fraud	Alleged solicitation and receipt of undue financial and other benefits from donors	No information received from Member State	No	No information received from Member State	21 August 2014

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
49	2014	2013-2014	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	10 September 2014
50	2014	2013-2014	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	3 October 2014
51	2014	2013-2014	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	3 October 2014
52	2014	2013-2014	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	3 October 2014
53	2014	2013-2014	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	3 October 2014

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
54	2014	2014-2015	UNDP	Corruption/ fraud	Alleged solicitation of bribery payments in exchange for confidential information	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
55	2014	2014-2015	UNDP	Corruption/ fraud	Alleged solicitation of bribery payments from United Nations partners	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
56	2014	2014-2015	UNDP	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of UNDP assets to a private account	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
57	2014	2014-2015	UNMISS	Corruption/ fraud	Alleged procurement fraud by posing as a United Nations procurement officer	No information received from Member State	No	No information received from Member State	16 December 2014
58	2014	2014-2015	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds by cashing fraudulent checks and preparing irregular financial transactions	No information received from Member State	No	No information received from Member State	28 June 2017

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
59	2014	2014-2015	UNHCR	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of United Nations funds to a private account	No information received from Member State	No	No information received from Member State	8 September 2015
60	2014	2014-2015	UNOPS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	23 March 2015
61	2014	2014-2015	MINUSTAH	Entitlement fraud	Alleged submission of fraudulent claims to the United Nations for reimbursement of education expenses	No information received from Member State	No	No information received from Member State	United Nations fully recovered its losses
62	2015	2014-2015	MONUSCO	Sexual exploitation and abuse	Alleged rape of a minor	No information received from Member State	No	No information received from Member State	13 May 2015
63	2015	2014-2015	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds the fraudulent endorsement and cashing of checks payable to staff members	No information received from Member State	No	No information received from Member State	Response received from Member State acknowledging receipt of referral and/or seeking further information

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
64	2015	2014-2015	UNMISS	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	No information received from Member State	No	No information received from Member State	2 June 2015
65	2015	2014-2015	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	4 June 2015
66	2015	2014-2015	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	18 February 2016
67	2015	2014-2015	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and email account	No information received from Member State	No	No information received from Member State	17 February 2016
68	2015	2014-2015	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent withdrawal of vendor-designated assets	Criminal proceedings initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
69	2015	2014-2015	MONUSCO	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	Criminal proceedings initiated by Member State. Disciplinary action resulted in sanction of reduction in rank. United Nations informed Member State that it does not consider sanction commensurate with act	No	No information received from Member State	14 June 2016
70	2015	2014-2015	UNHCR	Corruption/ fraud	Alleged embezzlement by using a fraudulent check to withdraw funds from a United Nations bank account	No information received from Member State	No	No information received from Member State	Response received from Member State acknowledging receipt of referral and/or seeking further information
71	2015	2015-2016	UNFPA	Corruption/ fraud	Alleged procurement fraud by providing confidential information to a potential vendor	No information received from Member State	No	No information received from Member State	17 February 2016 Response received from Member State acknowledging receipt of referral and/or seeking further information
72	2015	2015-2016	UNDP	Corruption	Alleged solicitation of illicit payments from UNDP vendors	No information received from Member State	No	No information received from Member State	13 June 2016

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
73	2015	2015-2016	UNSOA	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State	14 January 2016 20 May 2016 28 December 2016
74	2015	2015-2016	MONUSCO	Corruption/ fraud	Alleged procurement fraud by forging and presenting fraudulent purchase orders to potential vendors	No information received from Member State	No	No information received from Member State	18 February 2016 16 May 2016 21 November 2016
75	2015	2015-2016	Secretariat	Corruption/ fraud	Alleged embezzlement of United Nations funds by generating fraudulent payments to private accounts	No information received from Member State	No	No information received from Member State	17 February 2016 13 June 2016 1 February 2017
76	2015	2015-2016	UNAMID	Sexual exploitation and abuse/ physical assault	Alleged sexual and physical assault of an adult	No information received from Member State	No	No information received from Member State	23 February 2016 28 September 2016 30 January 2017
77	2015	2015-2016	UNMIL	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	No information received from Member State	No	No information received from Member State	24 March 2016 28 September 2016 1 January 2017

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
78	2016	2015-2016	Secretariat	Corruption/ fraud/sexual exploitation and abuse	Alleged solicitation and acceptance of bribery payments and soliciting sexual favours; alleged sexual assault of an adult	No information received from Member State	No	No information received from Member State	20 April 2016 4 August 2016 1 February 2017
79	2016	2015-2016	UNDP	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State	20 April 2016 4 August 2016 1 February 2017
80	2016	2015-2016	UNEP	Physical assault	Alleged physical assault of an adult	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
81	2016	2015-2016	UNMIL	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	13 June 2016 28 September 2016 23 March 2017
82	2016	2015-2016	UNAMID	Physical assault	Alleged physical assault of an adult	National authorities aware of allegations	No	No information received from Member State	13 June 2016 Response received from Member State acknowledging receipt of referral and/or seeking further information

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
83	2016	2015-2016	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	8 July 2016 21 November 2016 28 February 2017
84	2016	2015-2016	MINUSTAH	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State	Response received from Member State acknowledging receipt of referral and/or seeking further information
85	2016	2015-2016	Secretariat	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
86	2016	2015-2016	MINUSTAH	Theft	Alleged theft of United Nations fuel	No information received from Member State	No	No information received from Member State	4 August 2016 28 December 2016 27 April 2017 Response received from Member State acknowledging receipt of referral and/or seeking further information

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
87	2016	2015-2016	UNMIL	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	28 September 2016 28 December 2016
88	2016	2015-2016	Secretariat	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments from an individual seeking United Nations employment	No information received from Member State	No	No information received from Member State	21 November 2016 28 February 2017
89	2016	2015-2016	Secretariat	Sexual exploitation and abuse	Alleged sexual abuse of an adult	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
90	2016	2016-2017	UNMIL	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	21 November 2016 28 February 2017
91	2016	2016-2017	MINUSTAH	Theft	Alleged theft of prefabricated buildings	No information received from Member State	No	No information received from Member State	21 November 2016 Response received from Member State acknowledging receipt of referral and/or seeking further information

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned*[25]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
92	2016	2016-2017	UNOCI	Corruption/ fraud and theft	Alleged solicitation of bribes from individuals seeking United Nations employment; alleged use of fraudulent passes to steal buckets of paint	No information received from Member State	No	No information received from Member State	28 December 2016 23 March 2017
93	2016	2016-2017	Secretariat	Entitlement fraud	Alleged submission of fraudulent documents in support of claims for education grant	No information received from Member State	No	No information received from Member State	28 December 2016 23 March 2017
94	2016	2016-2017	UNDP	Entitlement fraud	Alleged entitlements fraud, misrepresentation, forgery and false certification and misuse of UNDP resources	Investigation initiated by Member State	No	No information received from Member State	1 February 2017 31 May 2017
95	2016	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	1 February 2017 31 May 2017
96	2016	2016-2017	UNMISS	Theft	Alleged theft of United Nations air conditioning units	No information received from Member State	No	No information received from Member State	1 February 2017 31 May 2017

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
97	2016	2016-2017	UNIMSS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	1 February 2017 31 May 2017
98	2016	2016-2017	MONUSCO	Corruption/ fraud	Alleged fraudulent solicitation of funds for visas; alleged fraudulent misrepresentation of authority to sell United Nations vehicle	No information received from Member State	No	No information received from Member State	28 February 2017 31 May 2017
99	2016	2016-2017	UNHCR	Corruption/ fraud	Alleged fraudulent acquisition and use of a diplomatic identity card to purchase a personal vehicle in Pakistan	No information received from Member State	No	No information received from Member State	28 February 2017 31 May 2017
100	2016	2016-2017	UNHCR	Corruption/ fraud	Alleged fraudulent acquisition and use of a diplomatic identity card to purchase a personal vehicle in Pakistan	No information received from Member State	No	No information received from Member State	28 February 2017 31 May 2017
101	2016	2016-2017	UNHCR	Corruption/ fraud	Alleged fraudulent request and receipt of cash payments from a bank in connection with UNHCR currency conversion transactions	No information received from Member State	No	No information received from Member State	28 February 2017 31 May 2017

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
102	2016	2016-2017	MONUSCO	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	23 March 2017
103	2016	2016-2017	UNFPA	Corruption/ fraud	Alleged collusion with two companies to submit fraudulent procurement documents and manipulate the award of UNFPA contracts	No information received from Member State	No	No information received from Member State	23 March 2017
104	2016	2016-2017	OHCHR	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	Response received from Member State acknowledging receipt of referral and/or seeking further information
105	2017	2016-2017	Secretariat	Entitlement fraud	Alleged submission of fraudulent claims for reimbursement of education expenses	No information received from Member State	No	No information received from Member State	26 April 2017 Response received from Member State acknowledging receipt of referral and/or seeking further information

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[c]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
106	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	27 April 2017
107	2017	2016-2017	UNOG	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
108	2017	2016-2017	UN-Women	Entitlement fraud	Alleged submission of forged documents in support of an entitlement claim	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
109	2017	2016-2017	UNDP	Sexual exploitation and abuse	Alleged sexual abuse of adults	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
110	2017	2016-2017	MONUSCO	Corruption/ fraud	Alleged fraudulent fabrication of United Nations documents to purchase vehicle batteries, tires and stationery	No information received from Member State	No	No information received from Member State	31 May 2017
111	2017	2016-2017	MONUSCO	Sexual exploitation and abuse	Alleged sexual abuse of a minor	No information received from Member State	No	No information received from Member State	31 May 2017

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned[25]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
112	2017	2016-2017	UNHCR	Corruption/ fraud	Alleged fraud and corruption connected to the issuance of humanitarian services to refugees	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
113	2017	2016-2017	UNDP	Corruption/ fraud	Alleged solicitation of illicit payments from UNDP vendors	No information received from Member State	No	No information received from Member State	31 May 2017
114	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
115	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
116	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
117	2017	2016-2017	UNAMA	Entitlement fraud	Alleged submission of fraudulent claims for reimbursement of education expenses	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed

Number	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?[c]	Information received on jurisdictional or evidentiary obstacles to prosecution	Follow-up date(s)
118	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
119	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
120	2017	2016-2017	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed
121	2017	2016-2017	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State	Response received from Member State acknowledging receipt of referral and/or seeking further information
122	2017	2016-2017	UNON	Assault	Alleged assault of an individual and threats with service firearm	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed

Number	*Referral year*	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*[b,c]	*Information received on jurisdictional or evidentiary obstacles to prosecution*	*Follow-up date(s)*
123	2017	2016-2017	UNDP	Corruption/ fraud	Alleged theft and embezzlement of United Nations funds	Investigation initiated by Member State	No	No information received from Member State	United Nations informed of action taken by Member State
124	2017	2016-2017	UNHCR	Corruption/ fraud	Alleged submission of fraudulent travel invoices and embezzlement of funds	No information received from Member State	No	No information received from Member State	3 months from referral date not yet lapsed

Abbreviations: MINUSTAH, United Nations Stabilization Mission in Haiti; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; OHCHR, Office of the High Commissioner for Human Rights; UNAMA, United Nations Assistance Mission in Afghanistan; UNAMI, United Nations Assistance Mission for Iraq; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNDP, United Nations Development Programme; UNEP, United Nations Environment Programme; UNFPA, United Nations Population Fund; UNHCR, Office of the United Nations High Commissioner for Refugees; UNICEF, United Nations Children's Fund; UNIFEM, United Nations Development Fund for Women; UNMIK, United Nations Interim Administration Mission in Kosovo; UNMIL, United Nations Mission in Liberia; UNMIS, United Nations Mission in the Sudan; UNMISS, United Nations Mission in South Sudan; UNMIT, United Nations Integrated Mission in Timor-Leste; UNOCI, United Nations Operation in Côte d'Ivoire; UNOG, United Nations Office at Geneva; UNON, United Nations Office at Nairobi; UNOPS, United Nations Office for Project Services; UNRWA, United Nations Relief and Works Agency for Palestine Refugees in the Near East; UNSOA, United Nations Support Office for the African Union Mission in Somalia; UN-Women, United Nations Entity for Gender Equality and the Empowerment of Women; WFP, World Food Programme.

[a] Reporting periods run from 1 July through 30 June.

[b] In consultation with the World Food Programme.

[c] A formal determination of whether immunities apply in any given case is undertaken after a request for a waiver has been received from the Member State concerned. For information on United Nations practice in this regard, please refer to the report of the Secretary-General contained in document A/63/331.

Annex II

Notifications received from States with respect to investigations or prosecutions of crimes allegedly committed by United Nations officials or experts on mission since 1 July 2016

Number[a]	*Reporting period*	*United Nations entity*	*Type of crime*	*Summary of allegations*	*Information received on status of investigation, prosecutorial, or disciplinary action*	*Request for waiver of immunity of the individual(s) concerned*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*
1	2016-2017	UN-Habitat	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of minors	Case ongoing	Yes	No information received
2	2016-2017	ICTR	Death threat	Alleged written death threats	Case ongoing	No	No information received
3	2016-2017	UNOG	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Case ongoing	No	No information received
4	2016-2017	MINUSCA/UNIFIL	Unknown	Unknown	Case ongoing	No	No information received
5	2016-2017	MINUSTAH	Theft /gang activities/firearms violation	Alleged association with gang involved in the theft of vehicles, and violation of a firearms possession law	Case ongoing	Yes	No information received
6	2016-2017	MONUSCO	Fraud	Alleged fraudulent sale of property and issuance of bounced cheques	Case ongoing	Yes	No information received
7	2016-2017	MONUSCO	Trafficking of endangered species	Alleged trafficking of endangered species (ivory)	Convicted and sentenced	Yes	No information received

Number[a]	*Reporting period*	*United Nations entity*	*Type of crime*	*Summary of allegations*	*Information received on status of investigation, prosecutorial, or disciplinary action*	*Request for waiver of immunity of the individual(s) concerned*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*
8	2016-2017	United Nations Mission in Colombia	Sexual exploitation and abuse	Alleged sexual harassment of adult who rejected solicitation of sexual favours	Case ongoing	Yes	No information received
9	2016-2017	United Nations Mission in Colombia	Threat of physical assault	Alleged threats made against adult upon termination of their relationship	Case ongoing	Yes	No information received
10	2016-2017	UNIOGBIS	Sexual exploitation and abuse	Alleged sexual assault and rape of minor	Case ongoing	No	No information received
11	2016-2017	UNMIL	Theft/fraud	Alleged theft of monies and fraud arising out of non-payment of debts	Case ongoing	Yes	No information received
12	2016-2017	UNMIL	Non-payment of debt	Alleged non-payment of maintenance and child support	Claim dropped by complainant	No	No information received
13	2016-2017	UNMIL	Non-payment of debt	Alleged paternity dispute and non-payment of maintenance and child support	No information received	No	No information received
14	2016-2017	UNMIL	Non-payment of debt	Alleged non-payment of maintenance and child support	No information received	No	No information received
15	2016-2017	UNMISS	Sedition	Alleged subversive activities involving the provision of support to opposition forces	Charges dropped	No	No information received
16	2016-2017	UNMISS	Vehicular crime	Alleged road traffic accident	Case ongoing	No	No information received

Number[a]	*Reporting period*	*United Nations entity*	*Type of crime*	*Summary of allegations*	*Information received on status of investigation, prosecutorial, or disciplinary action*	*Request for waiver of immunity of the individual(s) concerned*[b]	*Information received on jurisdictional or evidentiary obstacles to prosecution*
17	2016-2017	UNMISS	Adultery	Alleged extramarital affair	Fine paid	No	No information received
18	2016-2017	UNAMA	Vehicular crime	Alleged road traffic accident resulting in vehicular manslaughter	Convicted and sentenced	No	No information received
19	2016-2017	Department of Safety and Security	Sexual exploitation and abuse	Alleged sexual abuse of minor	Case ongoing	Yes	No information received
20	2016-2017	MICT	Sexual exploitation and abuse	Alleged sexual abuse of minors	Case ongoing	No	No information received
21	2016-2017	UNFCCC	Sexual exploitation and abuse	Alleged rape of an adult	Convicted and sentenced	No	No information received
22	2016-2017	UNOG	Vehicular crime	Alleged speeding	Case ongoing	Yes	No information received
23	2016-2017	OCHA	Vehicular crime	Alleged failure to respect pedestrian right of way and driving without a proper license	Case ongoing	Yes	No information received
24	2016-2017	UNITAR	Vehicular crime	Alleged failure to respect right of way at intersection	Case ongoing	Yes	No information received
25	2016-2017	UNICEF	Vehicular crime	Alleged speeding	Case ongoing	Yes	No information received
26	2016-2017	UNIFIL	Drug crime	Alleged use of illegal drugs	Investigation closed	No	No information received
27	2016-2017	UNIFIL	Fraud/forgery	Alleged fraudulent use of a forged government document	Case ongoing	No	No information received

Abbreviations: ICTR, International Criminal Tribunal for Rwanda; MICT, International Residual Mechanism for Criminal Tribunals; MINUSCA, United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic; MINUSTAH, United Nations Stabilization Mission in Haiti; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; OCHA, Office for the Coordination of Humanitarian Affairs; UNAMA, United Nations Assistance Mission in Afghanistan; UNDP, United Nations Development Programme; UNFCCC, United Nations Framework Convention on Climate Change; UN-Habitat, United Nations Human Settlements Programme; UNICEF, United Nations Children's Fund; UNIFIL, United Nations Interim Force in Lebanon; UNIOGBIS, United Nations Integrated Peacebuilding Office in Guinea-Bissau; UNITAR, United Nations Institute for Training and Research; UNMIL, United Nations Mission in Liberia; UNMISS, United Nations Mission in South Sudan; UNOG, United Nations Office at Geneva; UNON, United Nations Office at Nairobi; UN-Women, United Nations Entity for Gender Equality and the Empowerment of Women.

[a] Notifications were received in regards to additional cases that Member States did not wish included in this report.

[b] A formal determination of whether immunities apply in any given case is undertaken after a request for a waiver has been received from the Member State concerned. For information on United Nations practice in this regard, please refer to the report of the Secretary-General contained in document A/63/331.